IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 3RD JULY 2006 / 12TH ASHADA 1928

Bail Appl..No. 3381 of 2006

(CRIME NO.30/2006 OF EXCISE RANGE, KOYILANDY)

PETITIONER/ACCUSED

VINEESH.P.M, S/O.LATE NARAYANAN,
AGED 25 YEARS, PARAKKIL MEETHAL
KEEZHARIYOOR AMSOM, NADUVATHUR DESOM,
KOYILANDY TALUK.

BY ADV. SRI.P.R.SREEJITH

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR T.K. KUNHABDULLA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.3381/2006

DATED THIS THE 3RD DAY OF JULY, 2006

O R D E R

The petitioner is before this Court, under Section 438 Cr.P.C., as he is accused of an offence, under Section 55(g) of the Abkari Act, in C.R.No.30/2006 of Excise Range, Koyilandy.

2. The submission of the learned counsel is that the petitioner had come to reside with his grand mother, as his parents are no more. The house of his uncle, from where the utensils used for manufacturing illicit arrack were seized, is adjacent to the house of his grand mother, where he reside. He got no connection with the activities of his uncle, Balan.

3. The learned Public prosecutor had read out the C.D.file and relevant statements of the witnesses. Without entering into any discussion on the matter, I direct the petitioner to appear before the Judicial Magistrate of First Class, Koyilandy, on 10.7.2006 at 11.00 a.m., and move an

application for bail, after serving copy of the same, to the APP. The learned Magistrate shall hear both sides, and pass appropriate orders, after perusing the C.D.file, which would be produced by the Excise Range Inspector of Koyilandy.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs